

In The United States District Court
For The District Of Nebraska

Matthew O. Nixon
710 South 17th Street
Omaha, NE 68102

Plaintiff

VS.

- ① Douglas County Department of Corrections (D.C.D.C.) and
 - ② Mark Foxhall C.E.O OF (D.C.D.C.)
 - ③ Mail Room Employees OF (D.C.D.C.)
 - ④ Business Office Employees OF (D.C.D.C.)
 - ⑤ Records Dept. Employees OF (D.C.D.C.)
- all Sued in Their Official Capacities
Defendants

Case # 8:17CV370

42 U.S.C. § 1983
Civil Complaint

With Exhibits A
Through H and P.L.R.A.
Grievances

To Proceed in
Forma Pauperis with
6 months Financial Account

Plaintiff brings Civil Complaint to this court against above Defendants For violations of Plaintiffs (1st) and (14th) Amendments of The United States Constitution when Defendants Refuse to Send Legal mail to the courts, Held Plaintiffs mail in his property. See Exhibits as This Plaintiff Const. Rights have been violated and This is Still on going

③ Grievances, and (Kites) Inmate Request Forms wrote to The mail Room, Further Plaintiff gave The Employees The Choice To Send out his Legal mail or give Plaintiffs The grievance Forms, Employees For The Jail gave Grievances, NO Response That Plaintiff could Read Exh. (B) and (C)

Parties - Parties for Service

- #1) Douglas County Department of corrections, at 710 South 17th Street, Omaha NE 68102 is where These Incidents happened and ongoing and The Employee Responsible For The over all running is Mark Foxhall.

RECEIVED

OCT 6 = 2017

#3) Mark Foxhall CEO, OF The Douglas County Department OF Correction, who has know lenge and fails to ansher himself and has others Respond For (Mark Foxhall) IS Sued in his OFFICIAL Capacities as (he) is Responsible,

#3) Mail Room Employees OF the Douglas County Dept OF Corrections (D,C,D,C) are Sued in their OFFICIAL Capacities,

#4) Business Office Employees OF The Douglas County Dept, OF Corrections (D,C,D,C,) are Sued in Their OFFICIAL Capacities,

#5) Records Department Employees OF the Douglas County, Dept, OF Corrections (D,C,D,C) are Sued in Their OFFICIAL Capacities

* All Parties Can be Served at the Douglas County Department OF Corrections 710 South 17TH Street, Omaha, NE 68102

Claims - Story

① Plaintiffs mail To The Courts was put in The mail Box on 09-13-2017... Addressed To The District Courts OF Douglas County with Personal Property Release Form Extra Postage to be attached To The one Stamp on The Envelope (To Case CI17-6924)

② Plaintiffs mail above Paragraph 1) was held/ Taken and kidnapped and Placed in plaintiffs Property Bag and Not Sent to The Court on 09-14-2017 (under CI17-6924) (Discovery is needed)

③ Above mail to The District Court was Evidence to Cause Dismissal OF Defendants Criminal Case and because Defendants in This Case held it, and refused to Send Plaintiffs Legal mail The Judge on 09-25-2017 did Not have it in front OF Judge, Now Plaintiff is Still in Jail because OF This Violation by D,C,D,C,

Policy, Rules and Procedures and Plaintiff Legal Mail / Communications with The Courts / State Court of Douglas County Nebraska, U.S. (1st) and (14th) Amend. Violation by Defendants in This Case

④ Further Plaintiff Claims Defendants of The mail Room business Office, Records over Charging Plaintiff For Less Than 10 Pages in a #10 Legal envelope, Charging Plaintiff \$1.19 and Committing Theft of Funds of Plaintiff charging what They want to Charge.

* Because There is no way it will Cost \$1.19 For 10

~~Pages in a #10 Stamped envelope - And it already has~~
Postage on The Envelope to Start with For 65¢ Each

⑤ On 09-01-2017 Plaintiff sent a Legal Letter to The U.S. District Court For The District of Nebraska (Omaha) with over 20 Pages in The #10 Pre-Stamped Envelope and was charged 94¢... which should bring question to the \$1.19 Cost That was sent out in The mail over a week Later AFTER 09-25-2017 To The Douglas County District Court Case # CI17-6924

< See Exhibits D E and F >

⑥ Plaintiff Claims 3 more Legal mailings with Exhibits That made it so Extra postage was needed on 09-17-2017 and wrongfully held up by Defendants of The mail Room, business Office, and Records Departments in This Case

⑦ Legal Letters to the Courts above where 10+ Pages in #10 Pre-Stamped Envelopes 65¢ Each, and This Plaintiff mail was held up to after 09-25-2017 and only charged .21¢ Each with Clase to 10 Pages or more in a Stamped #10 Envelope, (and Plaintiff had 76¢ on his account)

⑧ Further Several legal Letters with Extra postage Needed to Attorneys For CI17-6924 Respondents For wrongfull Conduct in Not Expunging wrongful Conduct and False information By ~~Public Defender~~ Public Defender, Prosecution (Police Reports Case) 2015

⑨ These Legal Letters to attorneys For (Respondents Under CI 17-6924) Not responded to nor has this Plaintiff got his yellow copies/ Receipts For The mailings to ① Timothy G Himes SR # 20544 Shakil A. Malike # 24697 ③ Edward D. Aotz # 1127 mailing to Attorneys 09-13-2017 Through 09-20-2017 See Exhibit G

⑩ Defendants Employed by Records Dept of DC, D, C, say plaintiff here is wasting Their Time and to Talk to Plaintiff's Attorney See Exhibit A and Refuse this Plaintiff his yellow inmate copy to the Douglas County District Court Sent and Attorneys Legal Letters Sent out

⑪ Plaintiff Claims his Legal mail to The courts and attorneys are being thrown away, Lost, Distroid, because no responses

⑫ Plaintiff Claims his Amounts of postage are wrong and Plaintiff is being Stoten From because The amounts and weight don't add up and Don't make sense

⑬ (Plaintiff) Sent a 8 paged Letter to (his) wife on 09-13-2017 and This Letter to The District Court of Douglas County Nebraska and also Charged 1.19 which is over Charging Plaintiff based on The postal Rates

⑭ Plaintiff Feels an investigation is needed because This Plaintiff has heard Several Pre-detainees Complaining about mail costs, Not getting mail, or mail not going out

*** Plaintiff's Constitutional Rights have been Violated and his legal process is being hindered by Defendants above

See Exhibits [A] Through [J] as Plaintiff's Statements are True

X

Appointment of Counsel

- ① Because Plaintiff Mail/Legal mail has been Restrained and There is Proof of This, on going mail Tampering - Restricting without abuse by Plaintiff There is a Civil Complaint pending against This (Jail)
- ② Douglas County Department of Corrections under 8117-CV-325 and This could have something to do with The Actions and inactions against This Plaintiff, with This Plaintiff mail and Plaintiff needs Counsel/Attorney appointment, For Protection of Law

Jail Rules/policies, State/Federal Laws/Constitution

- ① Violation of Defendants own Jail Rules and Policies, and procedures under Douglas County Department of Corrections Concerning Legal mail
- ② violations of Nebraska State Constitution and The United States Constitutional Amendments (1st) and (14th)

Damages - Relief

Defendants together hinder access to The Courts in Violation of Their Duties, State and Federal Constitutional Laws That also Stopped This Plaintiffs/ evidence to The Courts — Although Delayed and Restrained by Defendants in This Case. Request Punitive Damages, and other Damages For wrongful and Violations of Law/Const. Plaintiff Requests (\$100,000⁰⁰) one Hundred Thousand Dollars, Damages Together

10 / 3 / 2017

x Matthew Nixon, Matthew Nixon
710 South 17th Street, Omaha, NE 68102

Certificate of Service

I hereby verify that The above is True under The Penalty of Perjury

10 / 03 / 2017

x Matthew Nixon Matthew Nixon
710 South 17th Street, Omaha, NE 68102

**DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
INMATE REQUEST FORM
FORMULARIO De SOLICITUD PARA RECLUSOS**

To/Para: Records Date/Fecha: 09-27-2017

(Print Name or Department/Escribir nombre o departamento con letra de imprenta)

From/De: Matthew Nixon Data/Datos: 3320510 H/U: #17-2

(Print Name/Escribir nombre con letra de imprenta)

BOTH COPIES NEED TO BE SUBMITTED FOR RESPONSES

(Deben Entregarse Ambas Copias Para Obtener Respuestas)

Request/Solicitud:

I did not get my yellow copies of (Legal Mail) and (Personal Mail) placed in my property on 09/13/2017 sent to you, and with held on 09/14/2017 and said placed in my property.

I need these for my Records

They are property Release forms and I need my Inmate Yellow copy(s)

Please make me a copy both wrote on 09/27

Thank you

Matthew Nixon

(Inmate Signature/Firma del Recluso)

09-27-2017

(Date/Fecha)

Reply/Respuesta:

You should have got your copies. We cannot waste our time and make you copies to keep losing. Just know everything have been filed and if your lawyer want these files they can do so.

9-28-17

(Date/Fecha)

Chy 8052

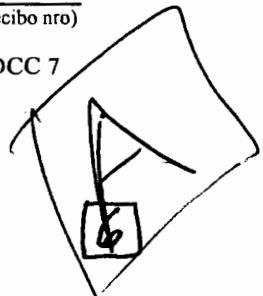
(Employee Printed Name/Nombre impreso del Empleado)(Employee Signature/Firma del empleado/Chit #/Recibo nro)

WHITE COPY: Inmate File

YELLOW COPY: Inmate

(Revised 7-2013)

DCC 7



Control # (N.º de Control)

142848

DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE FORM (Step One)
 (Formulario de Denuncia del Interno [Primer Paso])

Inmate Name: _____ Data #: _____ Housing Unit: 17-2
 (Nombre del Interno) (N.º de Intertificacion) (Unidad de Alojamiento)

Date: 09/21/2017 Date of Incident: In the Month of September 2017
 (Fecha) (Fecha del Incidente)

Are you an Immigration Detainee? YES / NO
 (¿Es usted un inmigrante detenido?)

Type of Grievance: (Please check one box)
 (Tipo de Denuncia [Marque una casilla])

☐ Medical Medica)

☐ Commissary/Account (Comisariato/Cuenta)

☒ Officer/Staff Complaint (Queja del oficial/personal)

☐ Kitchen/Food Service (Cocina/Servicio de comidas)

☒ Other (Otro)

Summary of Grievance (Resumen de la Denuncia)

I have not been getting my Inmate Copies of my legal Postage needed for legal Extra postage requests on my Personal Property requests, and when I did I was told my legal mail was placed in my property → Request my Turn to Copies of my Personal Property Release Forms (Yellow Copy) and I want to know if you sent my legal mail out to the Courts

Inmate's Signature (Firma del interno)

Witnessing Officer's Signature (Firma del oficial que sirve de testigo)

Signed (Firmado)

Date (Fecha)

Inmate's Signature
 (Firma del interno)

Date Rec'd
 (Fecha registrada)

Witnessing Officer's Signature
 (Firma del oficial que sirve de testigo)

Distribution:
 Rev. 11/2014

White Copy: Case Management

Canary Copy: Inmate File/Records

Pink Copy: Inmate Copy
 DCC 492

☒ B

Control # (N.º de Control)

142846

DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS

INMATE GRIEVANCE FORM (Step One)

(Formulario de Denuncia del Interno [Primer Paso])

Inmate Name: _____ Data #: _____ Housing Unit: _____
 (Nombre del Interno) (N.º de Identificación) (Unidad de Alojamiento)

Date: 09/21/2017 Date of Incident: sent out Legal Mail 9/13/2017
 (Fecha) (Fecha del Incidente) dis up and placed in property by JRR 9/14/2017

Are you an Immigration Detainee? YES / NO
 (¿Es usted un inmigrante detenido?)

Type of Grievance: (Please check one box)
 (Tipo de Denuncia [Marque una casilla])

☐ Medical Medica)

☐ Commissary/Account (Comisariato/Cuenta)

☒ Officer/Staff Complaint (Queja del oficial/personal) ☐ Kitchen/Food Service (Cocina/Servicio de comidas)

☒ Other (Otro) Legal Mail

Summary of Grievance (Resumen de la Denuncia)

I was told on response to
My Personal Property Release That My Legal mail
to The Douglas County district Court Case # CI 07-6924
That My Legal Mail with Attached Property Release for
Extra Legal Postage was illegally held Kidnapped my mail
and did not send it out by Policy
6513

Inmate's Signature (Firma del interno)

Witnessing Officer's Signature (Firma del oficial que sirve de testigo)

Decision of Case Management (Decision de la Direccion de Causas):

Signed (Firmado)

Date (Fecha)

Inmate's Signature
 (Firma del interno)

Date Rec'd

(Fecha registrada)

Witnessing Officer's Signature

(Firma del oficial que sirve de testigo)

Distribution:
 Rev. 11/2014

White Copy: Case Management

Canary Copy: Inmate File/Records

Pink Copy: Inmate Copy
 DCC 192

8

DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
PERSONAL PROPERTY RELEASE FORM
(FORMULA PARA LIBERAR PROPIEDAD PERSONAL)

Please Print
(Por favor imprima)

Date (Fecha): 09/17/2017

Mixon Matthew O 17-2 3320510
(Inmate) Last Name First M.I. H/U Data #
(Presos) (Apellidos) (Primer Nombre) (Dormitorio) (Numero de Identification)

Inmate's Signature (Firma del preso): Matthew Nixon

Please release the following property (Por favor, liberar el siguiente propiedad): Extra postage
needed for this legal mail to The Douglas County District Court
Clerk

Please Send my legal mail to the court and
Tell me The Cost of Extra postage Please

RELEASE THE ABOVE PROPERTY TO:
(Entregar la propiedad mencionada arriba a la siguiente persona):

Name: _____ Address: _____
(Nombre) (Direccion de Casa)

Telephone #: _____
(Numero de Telefono)

PROPERTY RECEIVED BY:
(Propiedad recibida por)

Signature: _____ Identification: _____
(Firma) (Numero de Identification)

Records Technician: _____
Name Chit# Date Time

Officer Verification Chit #: _____

White: Inmate File

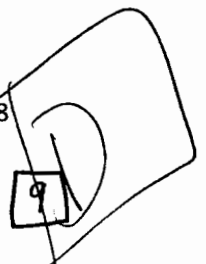
Yellow: Inmate

Pink: Person Picking Up

Gold: Property Bag

Revised 07/2015

DCC 38



DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
PERSONAL PROPERTY RELEASE FORM
(FORMULA PARA LIBERAR PROPIEDAD PERSONAL)

Please Print
(Por favor imprima)

Date (Fecha): 9-17-2017

Matthew Nixon O. 17-2 3320510
(Inmate) Last Name First M.I. H/U Data #
(Presos) (Apellidos) (Primer Nombre) (Dormitorio) (Numero de Identification)

Inmate's Signature (Firma del preso): Matthew Nixon

Please release the following property (Por favor, liberar el siguiente propiedad):

IF Needed, Please place Extra Postage on this
Legal mail to the Clerk of the District Court,
Douglas County, NE Pro Se Litigant under
CI 17-6924

RELEASE THE ABOVE PROPERTY TO:

(Entregar la propiedad mencionada arriba a la siguiente persona):

Name: _____ Address: _____
(Nombre) (Direccion de Casa)

Telephone #: _____
(Número de Telefono)

PROPERTY RECEIVED BY:

(Propiedad recibida por)

Signature: _____ Identification: _____
(Firma) (Numero de Identification)

Records Technician: _____
Name Chit# Date Time

Officer Verification Chit #: _____

White: Inmate File

Yellow: Inmate

Pink: Person Picking Up

Gold: Property Bag

Revised 07/2015

DCC 38



DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
PERSONAL PROPERTY RELEASE FORM
(FORMULA PARA LIBERAR PROPIEDAD PERSONAL)

Please Print
(Por favor imprima)

Date (Fecha): 09/10/2017

Mixon
(Inmate) Last Name
(Presos) (Apellidos)

Matthew
First
(Primer Nombre)

Q
H/U

17-2
H/U

3320570
Data #

Inmate's Signature (Firma del preso):

Matthew Mixon

Please release the following property (Por favor, liberar el siguiente propiedad):

if Extra postage is needed, please place it on this letter to
the Federal Court Clerk

Thank you

RELEASE THE ABOVE PROPERTY TO:

(Entregar la propiedad mencionada arriba a la siguiente persona):

Name:
(Nombre)

Address:
(Direccion de Casa)

Telephone #:
(Numero de Telefono)

PROPERTY RECEIVED BY:

(Propiedad recibida por)

Signature:
(Firma)

Identification:
(Numero de Identification)

Records Technician:

Name

Chit#

Date

Time

Officer Verification Chit #: _____

White: Inmate File

Yellow: Inmate

Pink: Person Picking Up

Gold: Property Bag

Revised 07/2015

DCC 38



• **DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS**
INMATE REQUEST FORM
FORMULARIO De SOLICITUD PARA RECLUSOS

To/Para: C.E.O. MARK Foxhall Date/Fecha: 09-23-2017
 (Print Name or Department/Escribir nombre o departamento con letra de imprenta)

From/De: Matthew O. Nixon Data/Datos: 3320570 H/U: #17-2
 (Print Name/Escribir nombre con letra de imprenta)

BOTH COPIES NEED TO BE SUBMITTED FOR RESPONSES
 (Deben Entregarse Ambas Copias Para Obtener Respuestas)

Request/Solicitud:

Have my mail "Legal (ma il)" went out?
I have not got back my (inmate copy)
ON The Request to place Extra (Postage on
Legal Letters to the Court's if needed

NO responses and / or amount placed on
These Envelopes - So I Know How much I
am in Deb't,

Please Send my (Yellow) COPY OF MY
personal property Release Forms For Extra postage
to be Sent on Legal mailings to me please
and other Copies between the 13th of Sept. and 20th of
Sept 2017 To attorney's

Matthew Nixon
 (Inmate Signature/Firma del recluso)

09-23-2017
 (Date/Fecha)

Reply/Respuesta:

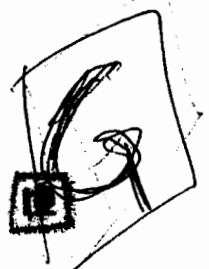
Mr. Nixon -
After discussion, there was not
enough for the postage in your account
initially but once you received the funds,
you just need to write to ask for it to
be sent out. We have taken care of
sending them now. Thank you - DC
11/27/17 [Signature]

(Date/Fecha) (Employee Printed Name/Nombre impreso del Empleado)(Employee Signature/Firma del empleado/Chit #/Recibo nro)

WHITE COPY: Inmate File
 YELLOW COPY: Inmate

(Revised 7-2013)

DCC 7



Please fix it

Federal Case 8:17-cv-325
Style Case CI17-6924 Pro Se
LitigantDOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
INMATE REQUEST FORM
FORMULARIO De SOLICITUD PARA RECLUSOSTo/Para: Mail Personal D.C.D.C. Date/Fecha: 09/15/2017
(Print Name or Department/Escribir nombre o departamento con letra de imprenta)From/De: Matthew Nixon Data/Datos: 3320570 H/U: 17-2
(Print Name/Escribir nombre con letra de imprenta)

BOTH COPIES NEED TO BE SUBMITTED FOR RESPONSES

(Deben Entregarse Ambas Copias Para Obtener Respuestas)

Request/Solicitud: Why Put my Legal Mail on my property
When it is to be sent to the Courts???
Legal Mail to the Courts by D.C.D.C. Policy
Is to be sent Regardless if I have the
money to pay right now. ————— Per your
Policy, when money becomes available, the
money is taken first. I am a pro se litigant
CI17 6924 in Douglas County and Federal Case # 8:17cv325
I sent a property release form for the
cost of extra legal postage and your people
or (you) sent it/put it on my property — Please
fix it. Send my legal mail out please.

(Inmate Signature/Firma del recluso)

Matthew Nixon

(Date/Fecha)

09/15/2017

Reply/Respuesta:

(Date/Fecha)

(Employee Printed Name/Nombre impreso del Empleado)(Employee Signature/Firma del empleado/Chit #/Recibo nro)

WHITE COPY: Inmate File
YELLOW COPY: Inmate

(Revised 7-2013)

DCC 7

DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
PERSONAL PROPERTY RELEASE FORM
(FORMULA PARA LIBERAR PROPIEDAD PERSONAL)

Please Print
(Por favor imprima)

Date (Fecha): September 26, 2017

Mixon, Matthew 17-2 3320570
(Inmate) Last Name First M.I. H/U Data #
(Presos) (Apellidos) (Primer Nombre) (Dormitorio) (Numero de Identification)

* Inmate's Signature (Firma del preso): Matthew Mixon

Please release the following property (Por favor, liberar el siguiente propiedad): _____

Please mail 2 envelopes that required extra
postage - funding is now available on my
account.

RELEASE THE ABOVE PROPERTY TO:

(Entregar la propiedad mencionada arriba a la siguiente persona):

Name: _____ Address: _____
(Nombre) (Direccion de Casa)

Telephone #: _____
(Numero de Telefono)

PROPERTY RECEIVED BY:

(Propiedad recibida por)

Signature: _____ Identification: _____
(Firma) (Numero de Identification)

Records Technician: _____
Name Chit# Date Time

Officer Verification Chit #: _____

White: Inmate File

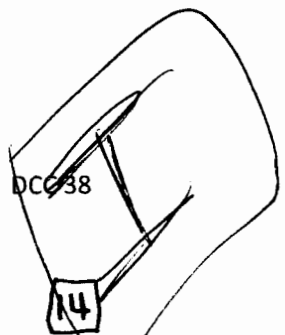
Yellow: Inmate

Pink: Person Picking Up

Gold: Property Bag

Revised 07/2015

1.19 x 2
Oversized
Postage
9/26/17
JK5421



DOUGLAS COUNTY DEPARTMENT OF CORRECTIONS
PERSONAL PROPERTY RELEASE FORM
(FORMULA PARA LIBERAR PROPIEDAD PERSONAL)

Please Print
(Por favor imprima)

Date (Fecha): 09-13-2017

Mixon Matthew 0 17 3320570
(Inmate) Last Name First M.I. H/U Data #
(Presos) (Apellidos) (Primer Nombre) (Dormitorio) (Numero de Identification)

Inmate's Signature (Firma del preso): Matthew Mixon

Please release the following property (Por favor, liberar el siguiente propiedad): _____

(IF it is needed) Extra Postage to be placed on this
envelope to ~~The Douglas County District~~

Eleanore Mixon 2567 Ellison Ave Omaha, NE 68111

RELEASE THE ABOVE PROPERTY TO:
(Entregar la propiedad mencionada arriba a la siguiente persona):

postage required \$1.19
insufficient funds

Name: _____ Address: _____
(Nombre) (Direccion de Casa)

JRK 9/14/17

Letter added to property

Telephone #: _____
(Numero de Telefono)

PROPERTY RECEIVED BY:
(Propiedad recibida por)

Signature: _____ Identification: _____
(Firma) (Numero de Identification)

Records Technician: _____
Name Chit# Date Time

Officer Verification Chit #: _____

White: Inmate File

Yellow: Inmate

Pink: Person Picking Up

Gold: Property Bag

Revised 07/2015

DCC 38

19

Matthew Nixon

Printed Name

(3320570) (#17-2)

Data # Module #

Douglas County

DEPARTMENT OF CORRECTIONS

710 SOUTH 17TH STREET

OMAHA, NEBRASKA 68102

RECEIVED

OCT 6 - 2017

**CLERK
U.S. DISTRICT COURT**

Hasler

FIRST-CLASS MAIL

10/04/2017

US POSTAGE \$001.61⁰



ZIP 68102

011D10649071

COURTHOUSE
United States District,
Court
111 S. 18th plaza,
Suite 1152
Omaha NE 68102-1322

